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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

RAMIRO HUERTA,
Plaintiff,
v.
COUNTY OF TULARE, et al.,
Defendants.

Case No. 1:17-cv-01446-DAD-EPG

**ORDER MODIFYING SCHEDULING
CONFERENCE ORDER**

(ECF Nos. 14, 42)

The Court has before it the Joint Proposed Revised Briefing Schedule. (ECF No. 42.) For the reasons discussed below, the Court approves in part and rejects in part the proposed revised schedule.

On October 24, 2018, the Court held a telephonic mid-discovery status and informal discovery dispute conference. (ECF No. 41.) During that conference, the parties discussed with the Court the status of discovery, and the need for revising the discovery deadlines previously set by the Court in the Scheduling Conference Order (ECF No. 14). Also discussed at the hearing was the upcoming retirement of Chief Judge Lawrence J. O’Neill, and the resulting significant case load that will shift to District Judge Dale A. Drozd in early 2020. The Court informed the parties that, in light of this anticipated heavy case load in early 2020, the trial date, pretrial date, and dispositive motion deadline set for this case will not be modified. The Court directed the parties to submit a joint proposed modified schedule that did not require modification of the

1 dispositive motion deadline. The parties indicated they would do so.

2 The parties have now submitted their joint proposal in which the parties propose
3 modifications to both the discovery deadlines and the dispositive motion deadline. (ECF No. 42).
4 This proposal is directly contrary to the Court's direction. It is also a facially unworkable
5 proposed schedule that includes a deadline to *file* dispositive motions one month before the
6 pretrial conference.

7 The Court finds good cause for and will approve the proposed modifications to the
8 discovery schedule. However, the Court will reject the proposed modification to the dispositive
9 motion deadline as this is contrary to the Court's explicit direction to the parties that the
10 dispositive motion deadline will not be modified, and would necessitate modifications to both the
11 pretrial and trial dates currently set in this case.

12 Accordingly,

13 IT IS ORDERED that the Joint Proposed Revised Briefing Schedule (ECF No. 42) is
14 approved in part and rejected in part, and the Scheduling Conference Order (ECF No. 14) is
15 modified as follows:

- 16 1. Non-Expert Discovery Cutoff is **March 21, 2019**.
- 17 2. Expert Disclosure Deadline is **May 2, 2019**.
- 18 3. Rebuttal Expert Disclosure Deadline is **May 30, 2019**.
- 19 4. Expert Discovery Cutoff is **July 1, 2019**.
- 20 5. Dispositive Motion Filing Deadline remains set for **May 31, 2019**.
- 21 6. Pretrial Conference remains set for **September 30, 2019, at 1:30 p.m.**, in Courtroom 5
22 before District Court Judge Dale A. Drozd.
- 23 7. Jury Trial remains set for **December 3, 2019, at 1:00 p.m.**, in Courtroom 5 before
24 District Court Judge Dale A. Drozd.

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1 8. All other terms and conditions of the Scheduling Conference Order (ECF No. 14)
2 remain in full force and effect.

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4 IT IS SO ORDERED.

5 Dated: November 7, 2018

/s/ Eric P. Gray
6 UNITED STATES MAGISTRATE JUDGE

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